

UNITED STATES DISTRICT COURT

for the

Eastern District of Tennessee

United States of America

v.

JIMMY RAY GORDON

Case No.

3:21-mj-

2243

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of Feb 6, Apr 3, Oct 12, Dec 13, 2021 in the county of Sevier; Knox in the
Eastern District of Tennessee, the defendant(s) violated:

Code Section

Offense Description

21 U.S.C. § 841(a)(1) and (b)(1)(A)

18 U.S.C. § 924(c)

18 U.S.C. § 922(g)(1)

Possession with Intent to distribut 50 grams or more of actual
methamphetamine

Possession of a firearm in the course of drug trafficking or violent crime

Possession of a firearm by a convicted felon

This criminal complaint is based on these facts:

See the Attached Affidavit from ATF TFO Matthew Smith.

☒ Continued on the attached sheet.


Complainant's signature

Task Force Officer Matthew Smith. AFT

Printed name and title

Sworn to before me and signed in my presence.

Date: 12/15/2021City and state: Knoxville, Tennessee


Judge's signature

Debra C. Poplin, United States Magistrate Judge

BRUCE GORDON Printed name and title

AFFIDAVIT

CASE NUMBER 3:21-MJ-2243

I, Matthew Smith, being duly sworn, state that the following information is true to the best of my knowledge, information and belief:

1. I am a Task Force Officer with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been assigned to this position since March 2017. I am currently assigned to the Knoxville Field Office of the ATF. Prior to becoming a Task Force Officer, I was/am employed with the Sevier County Sheriff's office, and have been so employed since March of 2012. During my tenure as an ATF Task Force Officer, I have conducted and participated in numerous investigations including, but not limited to, federal firearms offenses, federal explosives offenses and various drug trafficking offenses. I have been the Affiant on other search and arrest warrants dealing with the investigation of federal firearms violations. As a result of these investigations and prosecutions, I have become familiar with the various tendencies and techniques utilized by individuals unlawfully in possession of firearms or ammunition within the Eastern District of Tennessee and elsewhere.

Probable Cause

2. On or about February 6, 2021, the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") began an investigation regarding an individual later identified as Jimmy R. Gordon, also known as "Jinx," (hereinafter "GORDON") in reference to GORDON being in possession of numerous firearms and 50.5gm of Crystal methamphetamine. On February 6, 2021, at approximately 1:30 pm, Deputies with the Sevier County Sheriff's Department responded to 1635 Jayell Road in order to serve a warrant. Upon the deputies' arrival, GORDON was observed sitting in a blue Toyota car, farther down the driveway of the residence.

Deputies observed GORDON begin to accelerate the vehicle backwards and go through a ditch. GORDON drove through the ditch and onto another side-road. GORDON brought the vehicle to a stop once GORDON ran out of road to drive down. Deputies approached GORDON and ordered him from his vehicle. GORDON was placed under arrest on the outstanding warrant.

3. Deputies searched GORDON's vehicle and found ammunition, approximately 50.5 grams of suspected ice methamphetamine divided into separate baggies, .28 grams of a powder substance suspected to be narcotics, small plastic baggies, and ammunition. Deputies found a backpack in the vehicle which contained 14.56 grams of powder substance suspected to be heroin and fentanyl and a Taurus revolver with four rounds of .357 ammunition. A search of the surrounding area revealed a fired .357 shell casing, which matched the other rounds of ammunition found in the revolver. Additionally, two cellular phones were found and seized. A small safe was also found in the vehicle and a state search warrant was obtained to open and search the safe. The safe contained a Sig-Sauer Model P320 pistol, a Armscor Model 1911 pistol, and a Taurus Model PT99AF pistol, as well as additional ammunition.

4. On or about April 3, 2021, GORDON was arrested by Sevierville Police Department for being a felon in possession of a firearm, possession with intent to distribute ice methamphetamine, and possession with intent to distribute Heroin. Sevierville Police Department Officer Bright initiated a traffic stop on a Ford Explorer for having an expired and suspicious registration. The license plate came back as expired in July of 2020, but the plate had a 2021 sticker, which was later determined to belong to another vehicle. The driver was identified as a Ms. Chasidy Phillips and GORDON was the only passenger in the vehicle. Another Sevierville police officer arrived that recognized GORDON and knew him to be prior convicted felon for drug trafficking and firearms charges.

5. Ms. Phillips gave consent to officers to search her vehicle. Both occupants were removed from the vehicle and patted down. GORDON was adamant with officers to not search his pockets and officers complied with his request. Sevierville police requested a female deputy from Jefferson County Sheriff's Department to assist with Ms. Phillips. During a search of the vehicle, officers found U.S. Currency rolled and stuff between the front passenger seat and the center console. Inside the rolled currency, officers found small plastic baggies that contained a total weight of approximately twelve (12) grams of ice methamphetamine. GORDON was placed under arrest and *Mirandized*. Officers found plastic baggies on GORDON's person that contained approximately five (5) grams of suspected heroin. Officers also found \$3,061 in United States currency on GORDON's person. Inside the vehicle, officers found a green bag in the rear cargo area of the vehicle which contained a Sig-Sauer P365 pistol, numerous plastic baggies, and a digital scale. Officers found a small baggie of suspected ice methamphetamine on Ms. Phillips person and Ms. Phillips admitted that the methamphetamine found on her person belonged to her, but the remaining narcotics and firearms found in the car did not belong to her.

6. A review of GORDON's criminal history concluded that GORDON is a convicted felon. GORDON was convicted of three counts of sale of a controlled substance, a Class C felony in Sevier County Criminal Court on June 27, 2016.

7. On December 6, 2021, Special Agent Jason Dobbs examined the following firearms and/or ammunition for determining interstate nexus. The firearms and/or ammunition are described as follows: Exhibit 1: Taurus PT 99 AF 9mm luger pistol serial # LA6385. -Exhibit 2: Sig Sauer P320 9mm luger pistol serial # 58C097817. -Exhibit 3: Taurus Model 605 38 Special revolver serial # ABM287186. -Exhibit 4: Sig Sauer P365 9mm luger pistol serial # 66B383901. -Exhibit 5: Sig Sauer P365 9mm luger pistol serial # 66B433793. -Exhibit 6: Armscor/Rock Island Armory M1911A1-CS .45acp pistol serial # TA1858572. -Exhibit 7: 3

rounds Remington .45acp ammunition. -Exhibit 8: 11 rounds CCI Blazer 9mm luger ammunition. -Exhibit 9: 3 rounds Federal 9mm luger ammunition.


8. Based upon the examination of the firearms and/or ammunition, in conjunction with the research, knowledge, training and experience of SA Dobbs, it is his opinion that the above listed firearms and/or ammunition had been manufactured outside the State of Tennessee and to reach the State of Tennessee must have traveled in or affected interstate and/or foreign commerce. The firearms listed above were also determined to be modern firearms as defined by Federal law.

9. On October 12, 2021 GORDON was arrested by Knox County Sheriff's Office for felon in possession of a firearm, criminal impersonation, violation of probation, unlawful drug paraphernalia, and three active Capias out of Sevier County, TN. Knox County Deputies stopped a vehicle for traffic infractions and GORDON was a passenger. The driver told deputies that there was a firearm in the car that was not his, and alluded to Deputies that it belonged to GORDON. When approached, GORDON gave false identification to Deputies. Once identified through facial recognition, GORDON told Deputies that he would be "going away forever". GORDON stated to Deputies that the gun was his and that he would "take the charge." The firearm was a SigSauer P365 9mm s/n# 66B383901.


10. On December 13, 2021, GORDON was arrested by Knox County, TN Sheriff's Office for possession of a firearm with intent to go armed and Manufacture/Sale/Deliver of methamphetamine. Gordon was a passenger in a vehicle with one other occupant. Both occupants were passed out inside. When Deputies approached, they could see a clear baggy of crystal substance that they believed to be methamphetamine in GORDON's hoodie pocket. The baggie was consistent with methamphetamine and weighed approximately 49.7gm. A further check of the vehicle produced a Taurus 9mm G3c handgun with the serial number ground off.

11. Based on the foregoing, I submit that there is probable cause that Jimmy R. GORDON violated Title 18, United States Code, Section 922(g), Title 21, United States Code, Section 841(a)(1) & (b)(1)(A), and Title 18, United States Code, Section 924(c). Additionally, Jimmy R GORDON violated Title 18, United States Code, Section 922(g)(1) which forbids the use or possession of a "firearm" (which is defined to include a destructive device) by a person who is a "prohibited person."

FURTHER, THE AFFIANT SAYETH NOT.


MATTHEW SMITH
Task Force Officer
Bureau of Alcohol, Tobacco, Firearms
and Explosives

Subscribed and sworn before me
this 15th day of December, 2021.


Hon. H. Bruce Guyton
United States Magistrate Judge